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Richard A. Marshack

8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA**

10 In re
11 THE LITIGATION PRACTICE GROUP P.C.,
12 Debtor.

Case No. 8:23-bk-10571-SC

Chapter 11

DECLARATION RE: NO TIMELY
RESPONSE FILED AND SERVED RE:
CHAPTER 11 TRUSTEE'S OMNIBUS
OBJECTION TO ALLEGED 11 U.S.C.
§ 507(A)(4) PRIORITY CLAIMS THAT
EXCEED STATUTORY CAP – DK NO.
1715

Claimant (in Alphabetical Order)	Claim No.*
Ashley Lambert-Bland	C 571-2104.1
Carl Oswald Wuestehube	C 517-83.2
Jennifer Ann McLaughlin	C 571-71.2
Kelly J. Adams	C 571-2098.1
R. Reed Pruyn	C 571-96.1
Vincent Jackson	C 571-1887.1

[PURSUANT TO LBR 3007-1(b)(6)(A)]

Hearing

Date: November 14, 2024

Time: 11:00 a.m.

Ctrm: 5C - ViaZoom

Place: 411 West Fourth Street
Santa Ana, CA 92701

DECLARATION OF BRADFORD N. BARNHARDT

I, Bradford N. Barnhardt, declare as follows:

1. I am employed as an associate attorney at Marshack Hays Wood LLP, general counsel to the Chapter 11 trustee, Richard A. Marshack ("Trustee") in the above-captioned bankruptcy case ("Bankruptcy Case").

2. I am admitted to practice law in the State of California and before this Court.

3. I reviewed the docket in this case prior to execution of this Declaration to refresh my memory as to the dates on which particular documents were filed.

4. Pursuant to Rule 3007-1(b)(6)(A) of the Local Bankruptcy Rules ("LBR"), I make this Declaration in support of *Chapter 11 Trustee's Omnibus Objection to Alleged 11 U.S.C. § 507(a)(4) Claims that Exceed Statutory Cap* ("Objection"). Unless otherwise defined herein, all capitalized terms have the definitions set forth in the Objection.

5. I have personal knowledge of the facts set forth below, or am informed of such facts in the course of my employment with Marshack Hays Wood LLP, and if called as a witness I could and would competently testify to the matters set forth in this declaration.

6. On September 20, 2024, as Dk. No. 1715, the Objection was filed. The same day a copy of the Objection with the accompanying notice was served on the required parties using the method(s) identified on the proof of service attached to the Objection.

7. The hearing on the Objection is scheduled for November 14, 2024.

8. On October 18, 2024, as Dk. No. 1842, Trustee filed a Stipulation with Jennifer Ann McLaughlin ("McLaughlin Stipulation") to resolve her claim No. C571-71.2. On October 18, 2024, as Dk. No. 1843, the Court entered an order approving the McLaughlin Stipulation.

9. The deadline for Claimants to respond to the Objection was October 31, 2024. *See* Loc. Bankr. R. 3007-1(b)(3)(A).

10. I checked the docket for this bankruptcy case, and no opposition or response to the Objection has been filed, nor have I received anything in response to the filing of the Objection.

1 11. Based on the foregoing, and pursuant to LBR 3007-1(b)(6), the Court may sustain
2 the Objection as to all claimants for which the Objection has not already been resolved.
3 Accordingly, Trustee requests that the Court sustain the Objection as to all claimants for which the
4 Objection has not already been resolved and enter an order without need for a hearing.

5 I declare under penalty of perjury that the foregoing is true and correct.

6 Executed on November 13, 2024.

7 /s/ Bradford N. Barnhardt

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BRADFORD N. BARNHARDT

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **DECLARATION RE: NO TIMELY RESPONSE FILED AND SERVED RE: CHAPTER 11 TRUSTEE'S OMNIBUS OBJECTION TO ALLEGED 11 U.S.C. § 507(A)(4) PRIORITY CLAIMS THAT EXCEED STATUTORY CAP – DK NO. 1715** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **November 13, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On **November 13, 2024**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

DEBTOR – MAIL REDIRECTED TO TRUSTEE

THE LITIGATION PRACTICE GROUP P.C.
17542-17TH ST
SUITE 100
TUSTIN, CA 92780-1984

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **November 13, 2024**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA PERSONAL DELIVERY:

PRESIDING JUDGE'S COPY

HONORABLE SCOTT C. CLARKSON
UNITED STATES BANKRUPTCY COURT
411 WEST FOURTH STREET, SUITE 5130 / COURTROOM 5C
SANTA ANA, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

November 13, 2024
Date

Layla Buchanan
Printed Name

/s/ Layla Buchanan
Signature

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** CONTINUED:

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This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

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